

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 05-30111-MAP

JAMES V. CARIDDI,  
Plaintiff

v.

CONSOLIDATED ALUMINUM CORPORATION,  
Defendant

**AFFIDAVIT OF LAWRENCE FELDMAN, LSP, PH.D.**

I, Lawrence Feldman, LSP, Ph.D., upon oath, depose and state that:

1. I have been engaged by the Defendant Consolidated Aluminum Corporation (“Conalco”) to serve as an expert witness in the above-captioned matter. I previously prepared a report dated December 2, 2005 (“Report”) which is attached as Exhibit 1.

2. By way of this affidavit, I affirm my background, experience, and training and the opinions I provide in my Report and supplement or further explain the basis for those opinions in the following paragraphs.

3. As stated in my Report, in my opinion the material released at the Property that Mr. Cariddi attributes to Conalco, and for which Mr. Cariddi seeks reimbursement of past response action costs and payment of future response action costs from Conalco, is oil or petroleum, as those terms are used in CERCLA, and not a hazardous material or substance.

4. I understand that Mr. Norman R. Lappies (“Mr. Lappies”), the only witness identified by the parties to this litigation with personal knowledge of Conalco’s aluminum

manufacturing process at the Property during the late 1960's and early 1970's, describes four types of materials used by Conalco in drawing aluminum tubing: light oil, heavy oil, mineral spirits and kerosene.

5. Mineral spirits and kerosene are both oil or petroleum products. As noted in an EPA fact sheet on the CERCLA petroleum exclusion, "mineral spirits that are distilled from petroleum are considered petroleum for the purposes of CERCLA Section 101(14) and, therefore, are excluded from the definition of hazardous substance." See <http://www.epa.gov/superfund/programs/er/triggers/haztrigs/whatsub3.htm>. Given the time of use (1967 – 1976), the mineral spirits used by Conalco would have been used distilled from petroleum. Similarly, kerosene derived from a petroleum distillate would also be considered a petroleum under CERCLA; kerosene has been derived primarily from a petroleum distillate since at least the late nineteenth century.

6. Mineral spirits and kerosene are commonly used as solvents to dissolve or remove oil, particularly in manufacturing applications.

7. In my Report, I state that in 2001, Mr. Cariddi reported to the DEP a release of "oil," not "hazardous material." Attached at Exhibit 2 is a copy of the Release Notification Form ("RNF") signed by Mr. Cariddi.

8. In my Report, I state that the DEP identifies "disposal sites" as either "oil" or "hazardous waste" sites, and that the Property is identified as an "oil" site by the DEP on its website. Attached at Exhibit 3 is a printout of DEP's website which identifies the Cariddi site, RTN 1-13902, as an "oil" site.

9. In my Report, I state my opinion that the laboratory analyses of samples of soils, solids and groundwater collected from the Cariddi site, as presented in the various reports prepared for the site, document the release of oil or petroleum products, not hazardous materials or substances.

10. In further explaining that opinion and my review of the laboratory reports, I note that certain metals, semi-volatile organic compounds (“SVOCs”) and volatile organic compounds (“VOCs”), identified by the laboratories in their analysis of samples of soils, solids and groundwater collected from the Property between 2001 and 2005, are separately identified by CAS number by Mr. Cariddi in his response to Conalco’s Interrogatories (Nos. 15 and 16) as hazardous materials or substances which Mr. Cariddi contends were present in “oil and hazardous materials at the facility when Conalco owned and operated the facility,” as alleged in paragraphs 45-50 of Count II of Cariddi’s Complaint.

11. To clarify the Report, it is my opinion that the reported presence in soil samples of metals, SVOCs and VOCs, along with typical petroleum analytes, does not demonstrate a release of hazardous substances or materials at the property because: (1) trace levels of metals are natural components of Massachusetts soils and their presence in samples as reported by the laboratory does not in itself demonstrate a release of hazardous substances or materials; (2) VOCs are common constituents of petroleum products and their presence in samples taken at the Property is more likely than not tied directly to the presence of petroleum, and not to a separate release of VOCs; and (3) several of the SVOCs identified by the laboratory reports are common petroleum constituents, and those which are not are commonly encountered in soils on industrial sites, often reflecting the presence of coal, ash, or asphalt fragments.

Signed under the pains and penalties of perjury this 20<sup>th</sup> day of January, 2006.

/s/ Lawrence Feldman LSP, Ph.D.

**CERTIFICATE OF SERVICE**

I, Robert D. Cox, Jr., hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on January 20, 2006.

/s/ Robert D. Cox, Jr.

# EXHIBIT 1

Pages 1 – 9

## **REPORT OF LAWRENCE FELDMAN, LSP, PHD**

### **I. Introduction**

I have been engaged by Consolidated Aluminum Corporation ("Conalco") to serve as an expert witness in the litigation commenced by Mr. Cariddi entitled James V. Cariddi v. Consolidated Aluminum Corporation, United States District Court for the District of Massachusetts CA No. 05-30111-MAP. The opinions I provide in this report are limited to those issues relating to the first phase of litigation agreed upon by the parties: the petroleum exclusion under CERCLA and/or M.G.L. c. 21E and "causation" under M.G.L. c. 21E, Section 5(a)(5) as set forth in a Scheduling Order dated July 20, 2005. That Scheduling Order contemplates motions for summary judgment on liability and I anticipate providing an affidavit in support of Conalco's motion to be filed in early 2006.

### **II. Opinions And Basis And Reasons For Opinions**

My training, education and experience are outlined in the resume attached as Exhibit A. As noted in my resume, I am a Massachusetts hazardous waste site cleanup professional, also known as a Licensed Site Professional ("LSP"). I am familiar with disposal sites or locations throughout Massachusetts where releases of oil and/or hazardous material have occurred and I have overseen the implementation of response actions at many such sites. I have reviewed the reports generated by the LSP of record for the Cariddi site. I visited the site, and toured the interior of the building, on April 27, 2004. I have also reviewed the deposition transcript of Mr. Norman R. Lappies dated September 29, 2004.

In my opinion, the nature of the material released at the Cariddi site that Mr. Cariddi attributes to Conalco, and for which Mr. Cariddi seeks reimbursement of past response action costs and payment of future response action costs from Conalco, is oil or petroleum, as those

terms are used in CERCLA, not hazardous materials or substances. I base this opinion upon the following:

1. In my opinion, the laboratory analyses of samples of soils, solids and groundwater collected from the Cariddi site, as presented in the various reports prepared for this site, document the release of oil or petroleum products, not hazardous materials or substances.
2. In response to Conalco's interrogatories, Mr. Cariddi identifies by CAS number certain hazardous materials or substances which he contends were present in the "oil and hazardous materials at the facility when Conalco owned and operated the facility," as alleged in paragraphs 45-50 of Count II of Cariddi's Complaint. However, in several of his responses to interrogatories (numbers 11, 15, and 16) Mr. Cariddi is nevertheless careful to acknowledge that his enumeration of hazardous materials is based on the results of environmental sampling conducted by his consultants, and not on analyses of the actual materials used when Conalco owned and operated the facility. In other words, these were analyses of a combination of the materials allegedly released by Conalco and the matrices of the environmental samples. In the case of the metals, trace levels of metals are natural components of Massachusetts soils, and their presence does not necessarily represent a release of a hazardous material. The volatile organic compounds listed are common constituents of petroleum products, and their presence in environmental samples at this site is most reasonably directly tied to the presence of petroleum, not to a separate release of these compounds. The same is true for the relatively low reported concentrations of several of the semi-volatile organic compounds (SVOCs), which are also petroleum constituents; the remaining SVOCs are commonly encountered in soils in urban or industrial areas, and often reflect the presence of coal, ash, or asphalt fragments. Finally, I note that Mr. Cariddi lists "Waste Oil" as a hazardous material detected in environmental samples from the site, apparently based on an Alpha Analytical report dated May 11, 2004; however, I understand that Dr. Michael Wade, another expert in this case, will be refuting this identification in his expert report.
3. In his statement in this case, Mr. Lappies avers, "Other than mineral spirits, I have no knowledge of other solvents being used at the Facility during my employment. Similarly, I do not know of any other hazardous materials used by [Conalco]." Moreover, in his deposition (page 34, lines 19-20), Mr. Lappies notes, "Oil and mineral spirits, that's all we used [when Conalco ran the Facility]."
4. The reports generated by the LSP, as well as all observations of the materials described in the reports, refer to such materials as "oil" or "oily waste," not hazardous materials or substances.
5. DEP identifies "disposal sites" as either "oil" or "hazardous material" sites. The Cariddi site is identified as an "oil" site by DEP on its website.

6. Mr. Cariddi reported to the DEP in 2001 a release of "oil," not "hazardous material."

Because of the limited nature of this report, I reserve the opportunity to provide additional opinions, should they become necessary in the course of this litigation, regarding the response actions performed, and whether the response actions were necessary and appropriate or in accordance with the MCP.

### **III. Data Or Other Information Considered In Forming Opinions**

The data or other information considered in forming the opinions set forth above included the reports prepared concerning the property, my observations of the site, the deposition testimony of Mr. Norman R. Lappies, and Mr. Cariddi's October 14, 2005, responses to interrogatories.

### **IV. Exhibits To Be Used As A Summary Of Or Support Of Opinions**

At this time, I have prepared no exhibits or summaries to support the foregoing opinions. To the extent that any such exhibits summaries are prepared, I will supplement this report and/or provide them in connection with my affidavit in support of Conalco's motion for summary judgment.

### **V. Qualifications**

I am a geologist by education, with degrees from Wesleyan University in Middletown, Connecticut (B.A., 1969); Harvard University (A.M., 1971); and Boston University (Ph.D., 1978). I joined GZA GeoEnvironmental, Inc. (formerly Goldberg-Zoino & Associates) as senior staff hydrogeologist in March, 1979, and have been a principal of the firm since 1984. Now a Senior Principal in GZA's Newton office, I have an extensive background in the investigation and design of studies for a variety of issues involving soil and groundwater contamination, ranging from groundwater quality control and contamination to groundwater resource evaluation, and for



projects extending from real estate site assessments to state and federal Superfund sites. I have been involved in numerous evaluations of waste disposal sites, involving both "oil" and "hazardous materials" (as those terms are defined in the Massachusetts Contingency Plan, 310 CMR 40.0000).

Since 1983, when MGL Ch. 21E (the Massachusetts "Superfund" Law) went into effect, I have lectured frequently on hazardous waste site assessment, remediation and beneficial reuse. I was an appointed member of the so-called "21E Study Committee" which recommended the major changes to 21E which went into effect in 1992 and, as an appointee to DEP's Hazardous Waste Site Cleanup Advisory Committee since 1992, I have been involved in the development of the significant revisions to the Massachusetts Contingency Plan which went into effect in 1993 and 1995. I was a gubernatorial appointee to the Hazardous Waste Site Cleanup Professional ("Licensed Site Professional") Board of Registration from the time of its formation in 1992 until 2004. I was a founding director of the Licensed Site Professional Association (LSPA), and returned to serve on the board of directors in 2004.

Prior to joining GZA, I spent two years in the Massachusetts Executive Office of Environmental Affairs, where I assisted in the formation of state and federal water policy and reviewed projects under the provisions of the Massachusetts Environmental Policy Act.

A copy of my resume is attached as Exhibit A.

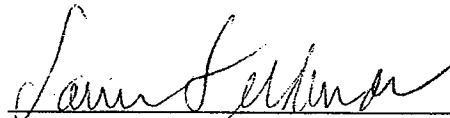
#### **VI. Compensation**

GZA is being compensated for my time working on this case at a rate of \$200/hour, with a 50% premium for time spent in providing oral testimony.

**VII. Listing Of Other Cases In Which Expert Testimony Was Provided Within The Preceding Four (4) Years**

A list of cases in which I testified as an expert at trial or by deposition within the preceding four (4) years will be provided.

Dated: December 2, 2005

A handwritten signature in cursive script, appearing to read "Lawrence Feldman", written over a horizontal line.

Lawrence Feldman, LSP, PhD

Lawrence Feldman, Ph.D., L.S.P.  
Senior Principal

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#### EXPERIENCE

GZA GeoEnvironmental, Inc. - 3/79 to present  
Years with Other Firms: 5

#### AREAS OF SPECIALIZATION

- Regulatory Compliance
- Hydrogeology
- Groundwater Contamination
- Water Resources
- Expert Witness

#### EDUCATION

B.S., 1969, Geology, Wesleyan University  
M.S., 1971, Geology, Harvard University  
Ph.D., 1978, Geology, Boston University

#### PROFESSIONAL REGISTRATION

1993, Licensed Site Professional, Massachusetts, 8107  
1984, Professional Geologist, Virginia, 000397  
2003, Professional Geologist, New Hampshire, 689

#### SUMMARY OF EXPERIENCE

Dr. Feldman joined GZA in 1979 as senior staff hydrogeologist. Now a Senior Principal, he lectures and has been published widely on a variety of environmental issues, including the redevelopment of urban sites and the relevance of site assessments to the legal and real estate communities. He has an extensive background in the investigation and design of studies for a variety of groundwater-related issues, ranging from groundwater quality control and contamination to groundwater resource evaluation, and for projects extending from real estate site assessments to state and federal Superfund sites. Dr. Feldman has been involved in numerous hydrogeologic evaluations of waste disposal sites, as well as multi-phased studies to locate, evaluate, and control groundwater contamination by organic chemicals.

Since 1983 when MGL Ch. 21E (the Massachusetts "Superfund" Law) went into effect, Dr. Feldman has lectured frequently on hazardous waste site assessment, remediation and beneficial reuse. He was an appointed member of the so-called "21E Study Committee" which recommended the major changes to 21E which went into effect in 1992 and, as an appointee to DEP's Hazardous Waste Site Cleanup Advisory Committee since 1992, he was involved in the development of the significantly revised Massachusetts Contingency Plan which went into effect in 1993. Dr. Feldman has served as a gubernatorial appointee to the Hazardous Waste Site Cleanup Professional ("Licensed Site Professional") Board of Registration from its formation in 1992 until 2004. He was a founding director of the Licensed Site Professional Association (LSPA), and is currently again serving as a director.

Prior to joining GZA, Dr. Feldman spent two years in the Massachusetts Executive Office of Environmental Affairs, where he assisted in the formation of state and federal water policy and reviewed projects under the provisions of the Massachusetts Environmental Policy Act. Prior to that, Dr. Feldman was an instructor in the geology department of Salem State College in Salem, Massachusetts. Relevant project experience includes:

#### MGL CH. 21E/MCP AND RELATED WORK

**Principal-in-Charge, Boston University Field House, Boston, Massachusetts.** GZA was retained by Boston University to provide environmental consulting services related to the development of this important new athletic facility. Our work included not only an assessment of environmental conditions at the parcels making up this project site, but also the design and oversight of a cost-effective approach for addressing soil contamination at the site related to its past industrial use.

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Senior Principal

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**Principal-in-Charge, GKH Project, Worcester, Massachusetts.** GZA is responsible for a wide range of services related to the redevelopment of several city blocks in Worcester. To date, GZA has performed Phase I/II investigations, an asbestos/hazmat survey of several buildings at the site, and civil/geotechnical engineering design services to prepare the site for its future use as college playing fields and a Boys & Girls club. GZA prepared contract documents, assisted the client in contractor selection, and is serving as Construction Manager for abatement and demolition of the existing buildings and for site preparation.

**Principal-in-Charge, Commonwealth Hotel, Boston, Massachusetts.** GZA provided geotechnical and environmental services on this recently opened hotel in Kenmore Square, a joint venture between Boston University and Callahan Partners. GZA's work included Phase I/II site investigations, pre-characterization of site soils for off-site disposal, removal of underground storage tanks and associated contamination, and providing the required documentation and bringing the site to closure under the MCP. GZA was responsible for the asbestos/hazmat survey of the existing buildings at the site and the preparation of contract documents for abatement. GZA also performed full geotechnical services for the project, from subsurface investigation through specification preparation and construction observation/documentation.

**Principal-in-Charge, Due Diligence and LSP Services, Multiple Properties, Boston, Massachusetts.** As the lead environmental consultant for a major Boston educational facility, Dr. Feldman has designed and directed dozens of Phase I and II studies on multiple sites over the past several years. In many cases, GZA was also retained to provide environmental remediation services as well.

**Principal-in-Charge, Former Shipyard Facility, Quincy, Massachusetts.** Manager of initial site assessment and subsequent assessment, remediation, and litigation-related activities involved with the sale and reuse of this large site in the metropolitan Boston area. Work involved the definition of areas of soil and groundwater contaminated with petroleum products, solvents, metals, and PCBs; consulting related to soil and separate phase product remediation; and participation in several rounds of negotiations with both the Department of Environmental Protection and the state agency which acquired the property.

**Principal-in-Charge, Massachusetts Highway Department Phase I Studies, 11 Facilities.** A joint venture headed by GZA was one of the consultants selected by MHD to prepare MCP Phase I studies for all its facilities. These studies focused on the potential for contamination at the facilities related to petroleum products and other contaminants.

**Principal-in-Charge, Duffy Brothers Site, Waltham, Massachusetts.** GZA has served as the consultant of record for this site since its acquisition by the present owner over a decade ago. Contamination at the site consists primarily of separate phase petroleum product containing PCBs and volatile organic compounds. As the Principal-in-Charge of this project from 1992 to 2001, Dr. Feldman oversaw the preparation of the Phase I Report for the site, as well as subsequent Phase II activities.

**LSP-of-Record, USX Corporation Sites, Worcester, Massachusetts.** LSP-of-record for several phases of MCP study for several parcels which together comprise over 100 acres of former steel manufacturing operations and disposal areas. The MCP studies were complicated by the pending construction of the Route 146 Highway over portions of the parcels, necessitating focused study and remedial strategies in consideration of this property use.

#### **RI/FS - REMEDIAL INVESTIGATION/FEASIBILITY STUDY AND RELATED WORK**

**Principal-in-Charge, Kellogg-Deering Superfund Site, Norwalk, Connecticut.** Served as consultant to lead PRP in overseeing the conclusion of EPA's RI/FS effort. Subsequently retained to perform Remedial Design phase when original client became lead PRP and took over project. GZA's scope of work has included both technical project work and assisting our client in negotiating sessions with the EPA.

**Associate-in-Charge, Batavia Landfill Superfund Site, Batavia, New York.** Managed remedial investigation of landfill on behalf of NL Industries, one of the PRPs.

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Senior Principal

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**Project Manager, Silresim Superfund Site, Lowell, Massachusetts.** Managed the initial remedial investigation phase of this former chemical recycling facility. Retained by Trust formed by PRPs.

**Project Manager, Geohydrological Study, Iron Horse Park Superfund Site, Billerica, Massachusetts.** Managed a major geohydrological study at a landfill associated with this NPL site.

**Project Manager, Hydrogeologic Investigations and Computer Modeling, Acton, Norfolk, Oak Bluffs, and Orleans, Massachusetts.** In charge of hydrogeologic investigations to determine the suitability of sites for proposed land disposal of municipal sewage or septage effluent. In Acton and Orleans, computer modeling was used to assist in the assessment of the impact of the disposal sites on public water supplies.

**Principal-in-Charge, Boston University Hydrogeologic Study, Boston, Massachusetts.** Responsible for oversight of groundwater and soils analyses performed as a result of an oil spill on the site and abutting properties. Services included monitoring the removal of underground tanks and contaminated soil.

**Principal-in-Charge, RCRA Facility Investigation, W.R. Grace, Nashua, New Hampshire.** Leader of GZA team which developed scope of work for ongoing RCRA Facility investigation, and provided other consulting services related to unexpected conditions encountered at the site.

**Associate-in-Charge, Confidential Industrial Site, Boston, Massachusetts.** Manager of site assessment performed at this large site in the Metropolitan Boston area. Work involved the definition of the areas of soil and groundwater contamination; general consulting services related to remedial actions at the site; and participation in several rounds of negotiations with the state regulatory agency.

**Associate-in-Charge, Kyanize Paint, Springfield, Illinois.** Managed the RCRA-mandated closure of this paint manufacturing facility that had stored waste on site for longer than 90 days and, as a result, had been classified as a treatment, storage, and disposal facility (TSDF). Supervised sampling and analysis of groundwater and soil samples. In addition, GZA is overseeing remedial actions on the site to deal with soil and groundwater contaminated by paint, paint solvents, and fuel oil.

**Associate-in-Charge, Wyman-Gordon Company, Worcester, Massachusetts.** Directed several phases of work at site related to RCRA closure requirements. Duties provided include groundwater monitoring, assessment of the extent of contamination, and negotiations with state and federal regulatory personnel.

**Project Manager, Design of Groundwater Programs, Industrial Clients in New England.** Managed the design and implementation of RCRA Subpart F groundwater monitoring programs for clients.

## LITIGATION EXPERIENCE

Dr. Feldman has served as an expert witness in several litigation cases and in many more cases where litigation was probable. His work in these cases has included review of technical and regulatory documentation, oversight of additional field explorations at the site, development of remedial strategies and preparation of cost estimates, providing affidavits and depositions, and participation in settlement meetings with the litigants. Relevant experience includes:

- Retained by an attorney for a party accused of contaminating surface water supplies with polychlorinated biphenyls (PCBs), Dr. Feldman addressed the accusations by a state agency on two fronts. Research into the literature on PCBs indicated that they were essentially insoluble in water and water samples collected by Dr. Feldman confirmed that previously reported PCB levels had reflected sediment, not the water itself. Dr. Feldman appeared in court as an expert witness. The case was decided in favor of GZA's client, the defendant. Dr. Feldman continues to serve this client in its ongoing negotiations with a federal agency.
- In another PCB-related case, Dr. Feldman was retained by the owner of property with PCB contamination whose land had been taken by eminent domain by a state agency. At issue was the fairness of the taking price, which in turn hinged directly on the expected cost of site remediation. After reviewing the site and the available

**Lawrence Feldman, Ph.D., L.S.P.**  
**Senior Principal**

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documentation, Dr. Feldman concluded that the state's estimate of remedial costs was based on a number of unrealistic assumptions regarding the distribution of PCBs, and was accordingly much too high. Dr. Feldman's court testimony to this effect contributed to the landowner's being awarded a substantially higher price for the taking.

- GZA, under Dr. Feldman's direction and oversight, has provided a variety of consulting and technical services to the former owner of a large parcel of industrial property in eastern Massachusetts. Among these services has been representation in two separate pieces of litigation involving contamination of our client's property by abutting parcels. In both cases, GZA's services have included extensive field work to develop the technical basis for our client's claim. The larger of these two claims, which was recently settled, required significant participation of Dr. Feldman in settlement negotiations. The other claim, which continues to move toward litigation, will involve Dr. Feldman's participation as an expert witness.
- For many years, GZA has been providing technical assistance to a development client who bought and developed a piece of property with significant environmental problems. Contaminants at the site include waste oil with PCBs and volatile organic compounds; floating product is present as well as dissolved. Recently, our client filed suit under MGL Ch. 21E against other potentially responsible parties (PRPs) who had generated the waste oil that was brought to the site. While the presence of many of our clients on the PRP list has prevented GZA from taking an advocacy role in the litigation, we continue to provide technical services related to ongoing site investigation and potential site remediation, including the development of likely remediation scenarios and costs. Dr. Feldman, representing GZA at two PRP meetings, has made presentations regarding GZA's past and ongoing activities at the site.
- Retained as an expert witness by a major oil distributor, Dr. Feldman was a key participant in negotiations regarding our client's alleged responsibility for fuel oil contamination at a private residence. By developing a fresh and more cost-effective approach to site remediation strategies, Dr. Feldman was able to assist in reducing the agreed-upon range of likely remedial costs to a level where settlement was possible.
- A GZA team under Dr. Feldman's oversight provided extensive technical services in connection with litigation regarding a central Massachusetts manufacturing facility. At issue were the nature and extent of contamination, the likely remedial costs for the site, and the adequacy of previous environmental studies of the property. GZA's work included a substantial program of subsurface explorations, with soil and groundwater sampling; an assessment of excess costs associated with the demolition of the buildings on the site; an assessment of likely remedial costs; and the preparation of an MCP Phase I report for the site.
- Dr. Feldman was retained by a major industrial company to help it evaluate contribution claims brought against it by a subsequent property owner under Ch. 21E. GZA's role was to evaluate the technical basis for the plaintiff's claims and the reasonableness of its response costs to date.

#### **PROFESSIONAL ACTIVITIES**

Appointee, Massachusetts Department of Environmental Protection, Bureau of Waste Site Cleanup Advisory Committee

Appointee, Study Committee for Waste Site Cleanup Program Improvements and Long-Term Funding

Current Governor's Appointee to Water Resources Management Act Advisory Committee

Former Governor's Appointee to the Massachusetts Water Resources Commission

National Water Well Association

Former Member, Massachusetts 21E Study Committee

Licensed Site Professional Association (Founding Director)

Appointee, Massachusetts Brownfields Advisory Committee

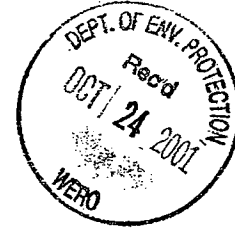
## EXHIBIT 2

Pages 10 – 24

1-13902



1801 EAST STREET  
PITTSFIELD, MA 01201  
413 499-3050  
FAX 413 443-0511



October 17, 2001

Ms. Joanne Flescher  
Massachusetts Department of  
Environmental Protection  
436 Dwight Street  
Springfield, Massachusetts 01103

Re: Release Notification & Notification Retraction Form  
Cariddi Sales Co.  
506 State Road  
North Adams, Massachusetts

Dear Ms. Flescher:

Please find enclosed a Release Notification & Notification Retraction Form for the above referenced site.

Should you have any questions or concerns please feel free to contact me.

Sincerely,

MAXYMILLIAN TECHNOLOGIES, INC.

A handwritten signature in cursive script, appearing to read 'John E. Dupras'.

John E. Dupras, P.E.  
Project Manager

cc: File





Massachusetts Department of Environmental Protection  
Bureau of Waste Site Cleanup

DEP BWSC-103

Release Tracking Number

RELEASE NOTIFICATION & NOTIFICATION RETRACTION  
FORM Pursuant to 310 CMR 40.0335 and 310 CMR 40.0371 (Subpart C)

1 - 13802

If assigned to DEP

A. RELEASE OR THREAT OF RELEASE LOCATION:

Street: 506 STATE RD

Location: ibbing

City/Town: N. ADAMS, MASSACHUSETTS

ZIP Code: 01847

B. THIS FORM IS BEING USED TO: (check one)

☒ Submit a Release Notification (complete all sections of this form).

☐ Submit a Retraction of a Previously Reported Notification of a Release or Threat of Release (complete Sections A, B, E, F and G of this form). You MUST attach the supporting documentation required by 310 CMR 40.0335.

C. INFORMATION DESCRIBING THE RELEASE OR THREAT OF RELEASE (TOR):

Date and time you obtained knowledge of the Release or TOR. Date: 6/25/01 Time: 2:00 PM Specify: ☐ AM ☒ PM

The date you obtained knowledge is always required. The time you obtained knowledge is not required if reporting only 120 Day Conditions.

IF KNOWN, record date and time release or TOR occurred. Date: \_\_\_\_\_ Time: \_\_\_\_\_ Specify: ☐ AM ☐ PM

☐ Check here if you previously provided an Oral Notification to DEP (2 Hour and 72 Hour Reporting Conditions only).

Provide date and time of Oral Notification. Date: \_\_\_\_\_ Time: \_\_\_\_\_ Specify: ☐ AM ☐ PM

Check all Notification Thresholds that apply to the Release or Threat of Release: (for more information see 310 CMR 40.0310 - 40.0315)

2 HOUR REPORTING CONDITIONS

72 HOUR REPORTING CONDITIONS

120 DAY REPORTING CONDITIONS

☐ Sudden Release

☐ Subsurface Non-Aqueous Phase Liquid (NAPL) Equal to or Greater than 1/2 inch

☐ Release of Hazardous Material(s) to Soil or Groundwater Exceeding Reportable Concentration(s)

☐ Threat of Sudden Release

☐ Underground Storage Tank (UST) Release

☒ Release of Oil to Soil Exceeding Reportable Concentration(s) and Affecting More than 2 Cubic Yards

☐ Oil Sheen on Surface Water

☐ Threat of UST Release

☐ Release of Oil to Groundwater Exceeding Reportable Concentration(s)

☐ Poses Imminent Hazard

☐ Release to Groundwater near Water Supply

☐ Subsurface Non-Aqueous Phase Liquid (NAPL) Equal to or Greater than 1/8 inch and Less than 1/2 inch

☐ Could Pose Imminent Hazard

☐ Release to Groundwater near School or Residence

☐ Release Detected in Private Well

☐ Release to Storm Drain

☐ Sanitary Sewer Release (Imminent Hazard Only)

List below the Oils or Hazardous Materials that exceed their Reportable Concentration or Reportable Quantity by the greatest amount. If necessary, attach a list of additional Oil and Hazardous Material substances subject to reporting.

Name and Quantities of Oils (O) and Hazardous Materials (HM) Released:

O or HM Released

O HM  
(check one)

CAS #  
(if known)

Amount or  
Concentration

Units

Reportable Concentrations  
Exceeded, if Applicable  
(RCS-1, RCS-2, RCGW-1, RCGW-2)

TOTAL PETROLEUM HYDROCARBONS ☒ ☐

31,000

mg/kg

RCS-2

1081

☐ ☐

10510

AM

6/25/01

D. ADDITIONAL INVOLVED PARTIES:

☐ Check here if attaching names and addresses of owners of properties affected by the Release or Threat of Release, other than an owner who is submitting this Release Notification (required).

☒ Check here if attaching Licensed Site Professional (LSP) name and address (optional).

You may write in names and addresses on the bottom of the second page of this form.



Massachusetts Department of Environmental Protection  
Bureau of Waste Site Cleanup

BWSC-103

Release Tracking Number

RELEASE NOTIFICATION & NOTIFICATION RETRACTION  
FORM Pursuant to 310 CMR 40.0335 and 310 CMR 40.0371 (Subpart C)

If assigned by DEP

## E. PERSON REQUIRED TO NOTIFY:

Name of Organization: Cariddi Sales Co. AS. STATE 002  
 Name of Contact: Jim Cariddi Title: OWNER 2500A 14  
 Street: 506 State Rd.  
 City/Town: N. Adams, MA State: MA ZIP Code: 01247  
 Telephone: 413 663 3722 Ext.: \_\_\_\_\_ FAX: (optional) \_\_\_\_\_

## F. RELATIONSHIP OF PERSON REQUIRED TO NOTIFY TO RELEASE OR THREAT OF RELEASE: (check one)

☒ RP or PRP Specify: ☒ Owner ☐ Operator ☐ Generator ☐ Transporter Other RP or PRP: \_\_\_\_\_

☐ Fiduciary, Secured Lender or Municipality with Exempt Status (as defined by M.G.L. c. 21E, s. 2)

☐ Agency or Public Utility on a Right of Way (as defined by M.G.L. c. 21E, s. 5(j))

☐ Any Person Otherwise Required to Notify Specify Relationship: \_\_\_\_\_

## G. CERTIFICATION OF PERSON REQUIRED TO NOTIFY:

I, \_\_\_\_\_, attest under the pains and penalties of perjury (i) that I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this transmittal form, (ii) that, based on my inquiry of those individuals immediately responsible for obtaining the information, the material information contained in this submittal is, to the best of my knowledge and belief, true, accurate and complete, and (iii) that I am fully authorized to make this attestation on behalf of the entity legally responsible for this submittal. I/the person or entity on whose behalf this submittal is made am/is aware that there are significant penalties, including, but not limited to, possible fines or imprisonment, for willfully submitting false, inaccurate, or incomplete information.

By: James V. Cariddi Title: OWNER  
 (signature)  
 For: \_\_\_\_\_ Date: OCTOBER 19 2001  
 (print name of person or entity recorded in Section E)

Enter address of the person providing certification, if different from address recorded in Section E:

Street: \_\_\_\_\_  
 City/Town: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Ext.: \_\_\_\_\_ FAX: (optional) \_\_\_\_\_

YOU MUST COMPLETE ALL RELEVANT SECTIONS OF THIS FORM OR DEP MAY RETURN THE DOCUMENT AS INCOMPLETE. IF YOU SUBMIT AN INCOMPLETE FORM, YOU MAY BE PENALIZED FOR MISSING A REQUIRED DEADLINE.

Robert MacLean, LSP  
 Maxymillian Technologies, Inc.  
 1801 East Street, Box 100 JE  
 Pittsfield, MA 01201



SPECTRUM ANALYTICAL, INC.

Featuring

HANIBAL TECHNOLOGY

Massachusetts Certification # M-MA138

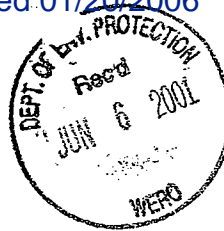
Rhode Island # 98 Maine # MA138

Florida # E87600 / 87562

New Hampshire # 2538

Connecticut # PH-0777

New York # 11393



MA DEP - Western Region  
436 Dwight Street, Suite 402  
Springfield, MA 01103

Attn: Joanne Flescher

Monday, June 04, 2001

Report Status:

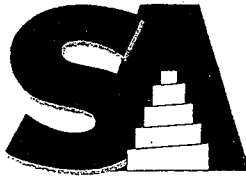
- ☒ Final Report  
☐ Re-issued Report  
☐ Revised Report



Client Project Number:

Location: Carridi

<u>Laboratory ID</u>	<u>Client Sample ID</u>	<u>Analyses Requested</u>
AC47284	SS-1 Oily	TPH by GC Ultrasonic Extraction Metals Digestion Mercury Digestion Total RCRA8 Metals Total Mercury Polychlorinated Biphenyls by GC Ultrasonic Extraction % Solids
AC47285	SS-2	Metals Digestion Mercury Digestion Total RCRA8 Metals Total Mercury % Solids



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Client Project Number:

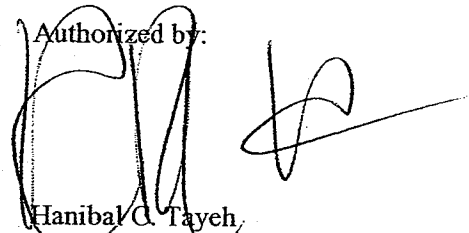
Location: Carridi

Laboratory IDClient Sample IDAnalyses Requested

I attest that all information contained within this report has been reviewed for accuracy and checked against all quality control requirements outlined in each applicable method and meet the requirements of NELAC including any data obtained from a subcontract laboratory. Please note that all solid matrix sample results are calculated on a dry weight basis unless otherwise specified.

This report may not be reproduced, except in full, without written approval from Spectrum Analytical, Inc.

Authorized by:

  
Hanibal C. Tayeh  
President/Laboratory Director

**SPECTRUM ANALYTICAL, INC.****Laboratory Report****Location:** Carridi**Client:** DEP**Lab ID No:** AC47284**Client Id:** SS-1 Oily**Client Project No:****Submittal Date:** 5/17/01**Collection Date:** 5/16/01**Matrix:** Speedy Dry

Parameter	Results	Units	PQL	Start Date	Analyst	Method
<b>TPH Preparation</b>						
Ultrasonic Extraction	Completed			5/29/01	RT	SW846 3550B
<b>Petroleum Hydrocarbon Analysis</b>						
<b>TPH by GC</b>						
Gasoline	Below det lim	mg/Kg	400	5/29/01	LR	SW846 8100M
Fuel Oil #2	Below det lim	mg/Kg	400	5/29/01	LR	SW846 8100M
Fuel Oil #4	Below det lim	mg/Kg	400	5/29/01	LR	SW846 8100M
Fuel Oil #6	Below det lim	mg/Kg	400	5/29/01	LR	SW846 8100M
Motor Oil	Below det lim	mg/Kg	400	5/29/01	LR	SW846 8100M
Ligroin	Below det lim	mg/Kg	400	5/29/01	LR	SW846 8100M
Aviation Fuel	Below det lim	mg/Kg	400	5/29/01	LR	SW846 8100M
Unidentified	31,000	mg/Kg	400	5/29/01	LR	SW846 8100M
Other Oil	*	mg/Kg	400	5/29/01	LR	SW846 8100M
Total Hydrocarbons (GC)	31,000	mg/Kg	400	5/29/01	LR	SW846 8100M
Nonaromatics (%SR)	72	mg/Kg	0.	5/29/01	LR	SW846 8100M
<b>SVOC Preparation</b>						
Ultrasonic Extraction	Completed			5/29/01	RT	SW846 3550B
<b>Semivolatile Organic Compounds</b>						
<b>Polychlorinated Biphenyls by GC</b>						
PCB-1016	Below det lim	ug/Kg	250	5/29/01	TG	SW846 8082
PCB-1221	Below det lim	ug/Kg	250	5/29/01	TG	SW846 8082
PCB-1232	Below det lim	ug/Kg	250	5/29/01	TG	SW846 8082
PCB-1242	Below det lim	ug/Kg	250	5/29/01	TG	SW846 8082
PCB-1248	Below det lim	ug/Kg	250	5/29/01	TG	SW846 8082
PCB-1254	Below det lim	ug/Kg	250	5/29/01	TG	SW846 8082
PCB-1260	Below det lim	ug/Kg	250	5/29/01	TG	SW846 8082
Decachlorobiphenyl (%SR)	119	ug/Kg	0.00	5/29/01	TG	SW846 8082
<b>Metals Preparation</b>						
Mercury Digestion	Completed			5/30/01	EP	EPA 245.1
Metals Digestion	Completed			5/30/01	EP	EPA 200.7
<b>Metals Analysis</b>						
<b>Total RCRA8 Metals</b>						
Arsenic	Below det lim	mg/Kg	2.59	5/31/01	CR	EPA 200.7
Total Barium	29.0	mg/Kg	0.864	5/31/01	CR	EPA 200.7
Total Cadmium	1.38	mg/Kg	0.432	5/31/01	CR	EPA 200.7

Lab ID No: AC47284

Collection Date: 5/16/01

Client Id: SS-1 Oily

Matrix: Speedy Dry

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Parameter	Results	Units	PQL	Start Date	Analyst	Method
Total Chromium	19.3	mg/Kg	0.864	5/31/01	CR	EPA 200.7
Total Lead	8.74	mg/Kg	1.30	5/31/01	CR	EPA 200.7
Total Selenium	Below det lim	mg/Kg	2.59	5/31/01	CR	EPA 200.7
Total Silver	4.32	mg/Kg	1.73	5/31/01	CR	EPA 200.7
Total Mercury	5.52	mg/Kg	0.182	5/30/01	JM	EPA 245.1
% Solids	96.6	%		5/29/01	RT	SM2540 B Mod

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Lab ID No: AC47285

Collection Date: 5/16/01

Client Id: SS-2

Matrix: Speedy Dry

meter	Results	Units	PQL	Start Date	Analyst	Method
<b>Metals Preparation</b>						
Mercury Digestion	Completed			5/30/01	EP	EPA 245.1
Metals Digestion	Completed			5/30/01	EP	EPA 200.7
<b>Metals Analysis</b>						
<b>Total RCRA8 Metals</b>						
Total Arsenic	Below det lim	mg/Kg	2.69	5/31/01	CR	EPA 200.7
Total Barium	110	mg/Kg	0.898	5/31/01	CR	EPA 200.7
Total Cadmium	2.97	mg/Kg	0.449	5/31/01	CR	EPA 200.7
Total Chromium	34.1	mg/Kg	0.898	5/31/01	CR	EPA 200.7
Total Lead	42.3	mg/Kg	1.35	5/31/01	CR	EPA 200.7
Total Selenium	Below det lim	mg/Kg	2.69	5/31/01	CR	EPA 200.7
Total Silver	Below det lim	mg/Kg	1.80	5/31/01	CR	EPA 200.7
Total Mercury	0.629	mg/Kg	0.189	5/30/01	JM	EPA 245.1
% Solids	92.7	%		5/30/01	EP	SM2540 B Mod

Reviewed by:

Validated by:

Quality Service/Quality Assurance Depts.

President/Laboratory Director

6/4/01



SPECTRUM ANALYTICAL, INC.

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HANIBAL TECHNOLOGY

### Laboratory Report Supplement

#### *Interpretation of Total Petroleum Hydrocarbon Report*

Petroleum identification is determined by comparing the GC fingerprint obtained from the sample with a library of GC fingerprints obtained from analyses of various petroleum products. Possible match categories are as follows:

- Gasoline – includes regular, unleaded, premium, etc.
- Fuel Oil #2 – includes home heating oil, #2 fuel oil, and diesel
- Fuel Oil #4 – includes #4 fuel oil
- Fuel Oil #6 – includes #6 fuel oil and bunker “C” oil
- Motor Oil – includes virgin and waste automobile oil
- Ligroin – includes mineral spirits, petroleum naphtha, vm&p naphtha
- Aviation Fuel – includes kerosene, Jet A and JP-4
- Other Oil – includes lubricating and cutting oil, and silicon oil

Factors such as microbial degradation, weathering and solubility generally prevent specific identification within a petroleum category. A finding of “unidentified” means that the sample fingerprint was characteristic of a petroleum product, but could not be matched to a fingerprint in our library.

After identification, the amount present in the sample is quantified using a calibration curve prepared from a petroleum product of the same category as the identified petroleum. Unidentified petroleum is quantified using a petroleum calibration that approximates the distribution of compounds in the sample. A \* in the results column indicates the primary petroleum fingerprint calibration used to quantify unidentified samples. A \*\* in the results column indicates the secondary petroleum fingerprint calibration used to quantify unidentified samples. A \*\*\* in the results column indicates the tertiary petroleum fingerprint calibration used to quantify unidentified samples.

CAC 0569





SPECTRUM ANALYTICAL, INC.

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HANIBAL TECHNOLOGY

## Laboratory Report Supplement

References

SW 846	Test Methods for Evaluating Solid Waste. Third edition, 1998
40 CFR 136	Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act
40 CFR 141	National Primary Drinking Water Regulations
40 CFR 143	National Secondary Drinking Water Regulations
40 CFR 160	Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), Good Laboratory Practice Standards
APHA-AWWA-WPCF	Standard Methods for the Examination of Water and Wastewater. 19 <sup>th</sup> edition, 1995
ASTM D 3328	Standard Methods for the Comparison of Waterborne Petroleum Oils by Gas Chromatography
EPA 540/G-87/003	Data Quality Objectives for Remediation Response Activities, Development Process
EPA 600/4-79-012	Quality Assurance Handbook for Analytical Quality Control in Water and Wastewater Laboratories
EPA 600/4-79-019	Handbook for Analytical Quality Control in Water and Wastewater Laboratories
EPA 600/4-79-020	Method for the Chemical Analysis of Water and Wastes
EPA 600/4-82-057	Methods for Organic Chemical Analysis of Municipal and Industrial Wastewater
EPA 600/4-85/056	Choosing Cost-Effective QA/QC Programs for Chemical Analysis
EPA 600/4-88/039	Method for the Determination of Organic Compounds in Drinking Water
ETPH	Analysis of Extractable Total Petroleum Hydrocarbons (ETPH)
MADEP EPH	Method for the Determination of Extractable Petroleum Hydrocarbons (EPH)
MADEP VPH	Method for the Determination of Volatile Petroleum Hydrocarbons (VPH)
QAMS 004/80	Guidelines and Specifications for Preparing Quality Assurance Program Plans, USEPA Office of Monitoring System and Quality Assurance
GC-D-52-77	Oil Spill Identification System

Acronyms & Abbreviations

AA	Atomic Absorption	MS	Matrix Spike
ASTM	American Society for Testing and Materials	MSD	Matrix Spike Duplicate
BOD	Biological Oxygen Demand	NTU	Nephelometric Turbidity Units
°C	degree(s) Celsius	PAHs	Polynuclear Aromatic Hydrocarbons
COD	Chemical Oxygen Demand	PCBs	Polychlorinated Biphenyls
CMR	Code of Massachusetts Regulations	PID	Photo Ionization Detector
DEP	Department of Environmental Protection	PQL	Practical Quantitation Limit
DI	De-ionized	R	Recovery (%R: Percent Recovery)
DO	Dissolved Oxygen	RSD	Relative Standard Deviation
EPA	Environmental Protection Agency	SM	Standard Method
EPH	Extractable Petroleum Hydrocarbons	SR	Surrogate Recovery (%SR)
FID	Flame Ionization Detector	SW	Solid Waste
GC	Gas Chromatograph	THM	Trihalomethane(s)
GC / MS	Gas Chromatograph / Mass Spectrometer	TOC	Total Organic Carbon
ICP	Inductively Coupled Plasma	TOX	Total Organic Halogen
ID	Identification	TPH	Total Petroleum Hydrocarbons
MCL	Maximum Contaminant Level	VOC	Volatile Organic Compound
MDL	Minimum Detection Limit	VPH	Volatile Petroleum Hydrocarbons



## SPECTRUM ANALYTICAL, INC.

## Laboratory Report

Location: Carridi  
 Client: DEP  
 Lab ID No: AC47284  
 Client Id: SS-1 Oily

Client Project No:  
 Submittal Date: 5/17/01  
 Collection Date: 5/16/01  
 Matrix: Speedy Dry

Parameter	Results	Units	PQL	Start Date	Analyst	Method
<b>PH Preparation</b>						
Ultrasonic Extraction	Completed			5/29/01	RT	SW846 3550B
<b>Petroleum Hydrocarbon Analysis</b>						
<b>PH by GC</b>						
Gasoline	Below det lim	mg/Kg	400	5/29/01	LR	SW846 8100M
1st Oil #2	Below det lim	mg/Kg	400	5/29/01	LR	SW846 8100M
1st Oil #4	Below det lim	mg/Kg	400	5/29/01	LR	SW846 8100M
1st Oil #6	Below det lim	mg/Kg	400	5/29/01	LR	SW846 8100M
Motor Oil	Below det lim	mg/Kg	400	5/29/01	LR	SW846 8100M
Grease	Below det lim	mg/Kg	400	5/29/01	LR	SW846 8100M
aviation Fuel	Below det lim	mg/Kg	400	5/29/01	LR	SW846 8100M
Identified	31,000	mg/Kg	400	5/29/01	LR	SW846 8100M
ther Oil	*	mg/Kg	400	5/29/01	LR	SW846 8100M
Total Hydrocarbons (GC)	31,000	mg/Kg	400	5/29/01	LR	SW846 8100M
Non-octadecane (%SR)	72	mg/Kg	0.	5/29/01	LR	SW846 8100M
<b>VOC Preparation</b>						
Ultrasonic Extraction	Completed			5/29/01	RT	SW846 3550B
<b>Semivolatile Organic Compounds</b>						
<b>Polychlorinated Biphenyls by GC</b>						
CB-1016	Below det lim	ug/Kg	250	5/29/01	TG	SW846 8082
CB-1221	Below det lim	ug/Kg	250	5/29/01	TG	SW846 8082
CB-1232	Below det lim	ug/Kg	250	5/29/01	TG	SW846 8082
CB-1242	Below det lim	ug/Kg	250	5/29/01	TG	SW846 8082
CB-1248	Below det lim	ug/Kg	250	5/29/01	TG	SW846 8082
CB-1254	Below det lim	ug/Kg	250	5/29/01	TG	SW846 8082
CB-1260	Below det lim	ug/Kg	250	5/29/01	TG	SW846 8082
Polychlorobiphenyl (%SR)	119	ug/Kg	0.00	5/29/01	TG	SW846 8082
<b>Metals Preparation</b>						
Mercury Digestion	Completed			5/30/01	EP	EPA 245.1
Metals Digestion	Completed			5/30/01	EP	EPA 200.7
<b>Metals Analysis</b>						
<b>RCRA8 Metals</b>						
Arsenic	Below det lim	mg/Kg	2.59	5/31/01	CR	EPA 200.7
Total Barium	29.0	mg/Kg	0.864	5/31/01	CR	EPA 200.7
Total Cadmium	1.38	mg/Kg	0.432	5/31/01	CR	EPA 200.7

Lab ID No: AC47285

Collection Date: 5/16/01


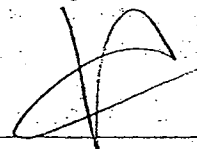
Client Id: SS-2

Matrix: Speedy Dry

Parameter	Results	Units	PQL	Start Date	Analyst	Method
<b>Metals Preparation</b>						
Mercury Digestion	Completed			5/30/01	EP	EPA 245.1
Metals Digestion	Completed			5/30/01	EP	EPA 200.7
<b>Metals Analysis</b>						
<b>Total RCRA8 Metals</b>						
Total Arsenic	Below det lim	mg/Kg	2.69	5/31/01	CR	EPA 200.7
Total Barium	110	mg/Kg	0.898	5/31/01	CR	EPA 200.7
Total Cadmium	2.97	mg/Kg	0.449	5/31/01	CR	EPA 200.7
Total Chromium	34.1	mg/Kg	0.898	5/31/01	CR	EPA 200.7
Total Lead	42.3	mg/Kg	1.35	5/31/01	CR	EPA 200.7
Total Selenium	Below det lim	mg/Kg	2.69	5/31/01	CR	EPA 200.7
Total Silver	Below det lim	mg/Kg	1.80	5/31/01	CR	EPA 200.7
Total Mercury	0.629	mg/Kg	0.189	5/30/01	JM	EPA 245.1
Total Solids	92.7	%		5/30/01	EP	SM2540 B Mod

Reviewed by:

Validated by:

  
Quality Service/Quality Assurance Depts.  
President/Laboratory Director

6/4/01

Lab ID No: AC47284

Collection Date: 5/16/01

Client Id: SS-1 Oily

Matrix: Speedy Dry

Parameter	Results	Units	PQL	Start Date	Analyst	Method
Total Chromium	19.3	mg/Kg	0.864	5/31/01	CR	EPA 200.7
Total Lead	8.74	mg/Kg	1.30	5/31/01	CR	EPA 200.7
Total Selenium	Below det lim	mg/Kg	2.59	5/31/01	CR	EPA 200.7
Total Silver	4.32	mg/Kg	1.73	5/31/01	CR	EPA 200.7
Total Mercury	5.52	mg/Kg	0.182	5/30/01	JM	EPA 245.1
% Solids	96.6	%		5/29/01	RT	SM2540 B M



MADEP RTN 1-13902

**Table 2**  
**Soil Analytical Summary – October 2001**  
**Cariddi Property**  
**North Adams, Massachusetts**

Parameters	Soil/Oil Sample Identification									Reportable Concentrations	
	S-1A Soil	S-2A Soil	S-3A Soil	S-4A Soil	S-5A Soil	S-1B Oil	S-2B Oil	S-3B Oil	S-4B Oil	S-1	S-2
<b>Targeted VPH Analytes</b>											
Benzene	<0.05	<0.05	<0.05	<0.05	<0.05	NA	NA	NA	NA	10	60
Ethylbenzene	<0.05	<0.05	<0.05	<0.05	<0.05	NA	NA	NA	NA	80	500
Methyl t-butyl ether	<0.05	<0.05	<0.05	<0.05	<0.05	NA	NA	NA	NA	0.3	200
Naphthalene	<0.25	<0.25	0.413	<0.25	0.457	NA	NA	NA	NA	4	1,000
Toluene	<0.05	<0.05	<0.05	<0.05	<0.05	NA	NA	NA	NA	90	500
Xylene (total)	<0.10	<0.10	<0.10	<0.10	<0.10	NA	NA	NA	NA	500	500
<b>VPH Fractions</b>											
C <sub>5</sub> -C <sub>8</sub> Aliphatics	<1.0	<1.0	<1.0	<1.0	1.10	NA	NA	NA	NA	100	500
C <sub>9</sub> -C <sub>12</sub> Aliphatics	1.31	<1.0	2.53	6.21	<1.0	NA	NA	NA	NA	1,000	2,500
C <sub>9</sub> -C <sub>10</sub> Aromatics	4.88	1.19	1.69	4.26	3.04	NA	NA	NA	NA	100	500
<b>Targeted BPH Analytes</b>											
Acenaphthene	<10.0	<10.0	<10.0	<10.0	<10.0	NA	NA	NA	NA	20	2,500
Acenaphthylene	<10.0	<10.0	<10.0	<10.0	<10.0	NA	NA	NA	NA	100	1,000
Anthracene	<10.0	<10.0	<10.0	<10.0	<10.0	NA	NA	NA	NA	1,000	1,000
Benzo(a)anthracene	<10.0	<10.0	<10.0	<10.0	<10.0	NA	NA	NA	NA	0.7	1
Benzo(a)pyrene	<10.0	<10.0	<10.0	<10.0	<10.0	NA	NA	NA	NA	0.7	0.7
Benzo(b)fluoranthene	<10.0	<10.0	<10.0	<10.0	<10.0	NA	NA	NA	NA	0.7	1
Benzo(g,h,i)perylene	<10.0	<10.0	<10.0	<10.0	<10.0	NA	NA	NA	NA	1,000	2,500
Benzo(k)fluoranthene	<10.0	<10.0	<10.0	<10.0	<10.0	NA	NA	NA	NA	7	10
Chrysene	<10.0	<10.0	<10.0	<10.0	<10.0	NA	NA	NA	NA	7	10
Dibenzo(a,h)anthracene	<10.0	<10.0	<10.0	<10.0	<10.0	NA	NA	NA	NA	0.7	0.7
Fluoranthene	<10.0	<10.0	<10.0	<10.0	<10.0	NA	NA	NA	NA	1,000	1,000
Fluorene	<10.0	<10.0	<10.0	<10.0	<10.0	NA	NA	NA	NA	400	2,000
Indeno(1,2,3-cd)pyrene	<10.0	<10.0	<10.0	35.1	<10.0	NA	NA	NA	NA	0.7	1
Naphthalene	<10.0	<10.0	<10.0	<10.0	<10.0	NA	NA	NA	NA	4	1,000
Phenanthrene	<10.0	<10.0	<10.0	<10.0	<10.0	NA	NA	NA	NA	100	100
Pyrene	<10.0	<10.0	<10.0	<10.0	<10.0	NA	NA	NA	NA	700	2,000
<b>BPH Fractions</b>											
C <sub>9</sub> -C <sub>18</sub> Aliphatics	675	691	713	2,470	215	NA	NA	NA	NA	1,000	2,500
C <sub>19</sub> -C <sub>36</sub> Aliphatics	21,800	22,800	24,800	50,300	5,170	NA	NA	NA	NA	2,500	5,000
C <sub>11</sub> -C <sub>22</sub> Aromatics	8,790	6,800	5,610	17,500	1,810	NA	NA	NA	NA	200	2,000
<b>VOCs – 8260B</b>											
1,3,5-Trimethylbenzene	0.114	<0.050	<0.050	0.091	<0.050	<0.500	<0.500	0.506	<0.500	10	100
1,2,4-Trimethylbenzene	0.203	<0.050	0.147	0.300	0.074	<0.500	<0.500	1.76	<0.500	1000	10,000
Naphthalene	<0.250	<0.250	0.335	0.386	<0.250	<2.50	<2.50	<2.50	<2.50	4	1000
<b>SVOCs – 8270</b>											
SVOCs	All ND	All ND	All ND	All ND	All ND	All ND	All ND	All ND	All ND	--	--
<b>Total Metals</b>											
Arsenic	6.9	6.10	6.68	<2.50	7.58	<5.00	<5.00	<5.00	<5.00	30	30
Cadmium	0.480	0.341	0.398	3.13	1.79	<0.500	<0.500	<0.500	<0.500	30	80
Chromium	8.73	7.02	6.95	2.29	14.3	4.95	3.88	5.82	<0.500	1,000	2,500
Lead	22.3	18.0	41.8	91.4	1280	5.78	<4.00	4.80	<4.00	300	600
Barium	50.2	72	102	101	171	5.60	1.94	6.53	4.10	1,000	2,500
Selenium	<3.00	<3.00	<3.00	<3.00	<3.00	<6.00	<6.00	<6.00	<6.00	400	2,500
Silver	<0.500	<0.500	<0.500	<0.500	<0.500	<1.00	<1.00	<1.00	<1.00	100	200
Mercury	0.546	<<0.100	<0.100	0.497	<0.100	<0.100	<0.100	<0.100	0.103	20	60
PCBs											
Total PCBs	All ND	All ND	All ND	All ND	All ND	All ND	All ND	All ND	All ND	2	2
<b>Petroleum Identification</b>	NA	NA	NA	NA	NA	Lubricating Oil	Lubricating Oil	Lubricating Oil	Lubricating Oil	--	--
<b>TPH: C9-C40</b>	NA	80,000	NA	50,000	NA	NA	NA	NA	NA	200	2000
<b>Age Dating</b>	NA	≥19.8	NA	≥19.8	NA	NA	NA	NA	NA		

Concentrations presented in mg/kg or parts per million (ppm) unless otherwise noted.

NA = No Laboratory Analysis Conducted

All ND = All compounds analyzed for were not detected – See laboratory reports for specific compounds analyzed for and detection limits.

(&lt;) = indicates the concentration was less than laboratory's reporting limit as indicated.

CAC 0575

## EXHIBIT 3

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# Mass DEP

## Cleanup of Sites & Spills

## Site/Reportable Release Look Up

- RTN: -13902
- Site Name/Location Aid:
- Street:
- City: ADAMS
- Status:
- Chemical Type:

## Search Results

Release Tracking Number (RTN)	City/Town	Release Address	Site Name/Location Aid	Reporting Category	Notification Date	Compliance Status	Date	Phase	RAO Class	Chemical Type	Release Tracking Number (RTN)
1-0013902	NORTH_ADAMS	506 STATE RD	CARIDDI SALES	120 DY	10/24/2001	TIER 1B	10/24/2002	PHASE IV		Oil	1-0013902
Total of 1 Records											